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004

DOCKET NO. 3084.028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/816,228

Applicant(s): Chaves, et al.

Filed: March 31, 2004

Title: OPTICAL DEVICE FOR LED-BASED LAMP

Examiner: TSO, Laura K.

Art Unit: 2875

Customer No.: 26375

Confirm. No.: 7326

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax. No. (571) 273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 223131450, on the date shown below:

7-27-05 *St M. Freeland*  
Date Steven M. Freeland  
Registration No. 42555  
Attorney for Applicant(s)

PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM OF PRIORITY

Mail Stop Petition  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

07/28/2005 TL0111 00000057 501616 10816228  
01 FC:1454 1370.00 DA

Dear Sir:

Applicants hereby petition under 37 C.F.R §1.78(a)(6) for the acceptance of an unintentionally delayed claim of benefit of a prior filed provisional application under 35 U.S.C. §119(e) and under 37 C.F.R. § 1.78(a)(3) for the acceptance of an unintentionally delayed claim for the benefit of an copending non-provisional application under 35 U.S.C. § 120 for the above-referenced application.

Page 2 of 3  
Application No. 10/816,228  
Petition to Accept Unintentionally Delayed Claim of Priority

Applicant hereby declares that the entire delay between March 31, 2004, the date the claims were due, and filing of this petition was unintentional.

As required by 37 C.F.R. § 1.78(a)(6)(i) and 1.78(a)(3)(i), the above-referenced application is being amended by preliminary amendment, filed on July 27, 2005, to provide the reference required by 35 U.S.C. § 119 and 37 C.F.R. § 1.78(a)(5) and 35 U.S.C. § 120 and 37 C.F.R. § 1.78(a)(2). The amendment submitted includes the priority claims as follows:

This application is a continuation-in-part of U.S. Patent Application No. 10/814,598, filed March 30, 2004, to Chaves et al., entitled OPTICAL DEVICE FOR LED-BASED LAMP, which claims the benefit under 35 U.S.C §119(e) of both provisional Application No. 60/470,691, filed May 13, 2003, to Miñano, entitled OPTICAL DEVICE FOR LED-BASED LIGHT-BULB SUBSTITUTE, and provisional Application No. 60/520,951, filed November 17, 2003, to Falicoff et al., entitled COLOR-MIXING COLLIMATOR, each being incorporated herein by reference in their entirety, and this application is a continuation-in-part of U.S. Patent Application No. 10/461,557, filed June 12, 2003, to Miñano, et al., entitled OPTICAL DEVICE FOR LED-BASED LIGHT-BULB SUBSTITUTE, which claims the benefit under 35 U.S.C §119(e) of provisional Application No. 60/470,691, filed May 13, 2003, to Miñano, entitled OPTICAL DEVICE FOR LED-BASED LIGHT-BULB SUBSTITUTE, each being incorporated herein by reference in their entirety.

The Commissioner is authorized to charge Deposit Account No. 50-1616 in the amount of \$1,370.00 to cover the fee required by 37 C.F.R. §1.78(a)(6)(ii) and set forth in 37 C.F.R. §1.17(t) for the acceptance for an unintentionally delayed claim for prior filed provisional application. A duplicate copy of this Petition is enclosed herewith.

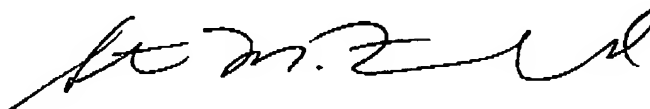
Page 3 of 3  
Application No. 10/816,228  
Petition to Accept Unintentionally Delayed Claim of Priority

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this application or credit any overpayment to Deposit Account No. 50-1616.

Should Examiner require additional information regarding this petition, please contact the undersigned below.

Respectfully submitted,

Dated: 7-27, 2005



Steven M. Freeland  
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(858) 552-1311

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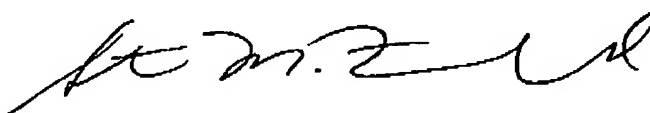
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